

1880.

PROCEEDINGS

OF THE

MUNICIPAL COUNCIL

OF THE

COUNTY OF WELLAND.

---

FIRST SESSION.—GEORGE J. DUNCAN, ESQUIRE, WARDEN.  
27TH, 28TH, 29TH, 30TH AND 31ST JANUARY, 1880.

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WELLAND:

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## PROCEEDINGS

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### Municipal Council of the County of Welland.

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FIRST SESSION.  
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WELLAND, Jan. 27th, 1880.

Pursuant to the Act respecting Municipal Institutions of the Province of Ontario, the Reeves and Deputy-Reeves of the several Municipalities, composing the County of Welland, met in the Grand Jury Room, in the Court House, at the Town of Welland, on Tuesday, the 27th day of January, A.D., 1880, at 2 o'clock, p.m., for the purpose of organization as the County Municipal Council of said County. Council Met.

The Clerk, *ad interim*, in the chair.

The following named Councillors presented Certificates of Election, and, having made and subscribed the Declaration of Office and Qualification, as required by law, took their seats accordingly.

BERTIE—Messrs. Edwin Hershey, and Levi Baker, Reeve and Deputy-Reeve.

CHIPPAWA—Charles Keller, junr., Reeve.

CLIFTON—John Coulson, Reeve.

CROWLAND—Edwin Morris, Reeve.

FORT ERIE—E. Cruickshank, Reeve.

HUMBERSTONE—Elisha Furry, Reeve; John A. Ramsden, Deputy Reeve.

PELHAM—Joseph Garner, Reeve; D. Metler, Deputy Reeve.

PORT COLBOURNE—W. B. Pringle, Reeve.

STAMFORD—Geo. J. Duncan, Reeve; John A. Law, Deputy Reeve.

THOROLD TOWNSHIP—Geo. Page, Reeve; J. J. Upper, Deputy Reeve.

THOROLD TOWN—Alex. Frazer, Reeve.

WAINFLEET Edward Lee, Reeve; John Misener, Deputy Reeve.

WELLAND—T. W. Hooker, Reeve; J. H. Bugar, Deputy Reeve.

WILLOUGHBY—James Smith, Reeve.

The Roll having been called, the following named Councillors answered to their names: Messrs. Baker, Bugar, Coulson, Cruickshank, Duncan, Frazer, Furry, Garner, Hershey, Hooker, Keller, Law, Lee, Metler, Misener, Morris, Page, Pringle, Ramsden, Smith, and Upper—21.

Moved by Mr. Hershey, seconded by Mr. Garner,

That George J. Duncan, Esq., Reeve of the Township of Stamford, be Warden for the current year.

The motion proposed to the Council, and carried unanimously.

Mr. Duncan being declared elected, made and subscribed the Declaration of Office before F. Swayze, a Justice of the Peace, and took his seat as Warden, and thanked the Council for the confidence reposed in him, as exemplified by the vote just taken, and hoped that that confidence would not be shaken during his occupancy of the Warden's chair; and with other appropriate remarks, concluded by presenting to the Council

Communication from the Ontario Rifle Association,

Reeves & Deputy Reeves.

Present.

Motion to Appoint Warden

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Also from County of Carleton, *re* Coteau Bridge,

Also from J. W. Langmuir, Inspector of Prisons and Asylums,

Also from Provincial Secretary, *re* Registry Office,

Also Report of Port Robinson and Thorold Macadamized Road Company.

Communica-  
tions.

Also printed minutes from the Counties of Lennox and Addington, and Frontenac,

Also several accounts for Finance Committee.

Moved by Mr. Hershey, seconded by Mr. Baker,

That the hours of meeting and adjournment, during the present Session, be as follows: Meet at 9 a.m., adjourn at 12:30 p.m.; meet again at 2 p.m., and adjourn at 6 p.m. Carried.

Sessional  
Hours.

Moved by Mr. Hershey, seconded by Mr. Morris,

That the Warden do cause a statement to be laid before this Council, as soon as practicable, shewing the amount of cash on hand, the several sums due by Municipalities (if any), also amount of note due the Bank of Commerce, Thorold, likewise when maturing, together with a full statement of any other indebtedness on the part of the County. Carried.

Financial  
Statement.

Mr. Hershey gives notice that he will, on to-morrow, ask leave to introduce a Bill for the appointment of the Members of the Board of Audit.

Notice of Mo-  
tion, *re* Board  
of Audit.

Mr. Cruickshank also gives notice that, on to-morrow, he will ask leave to introduce a Bill for the appointment of High School Trustees to fill the vacancies about to occur in the several High School Boards throughout the County.

High School  
Trustees.

Moved by Mr. Hershey, seconded by Mr. Hooker,

That the following named gentlemen be appointed a Committee to strike the Standing Committees for the current year, viz., Messrs. Hershey, Garner, Pringle, Bugar, Lee, Frazer, Furry, and Ramsden.

Committee to  
Strike Stand-  
ing Commit-  
tees.

The motion proposed to the Council,

Moved by Mr. Ramsden, seconded by Mr. Keller, in amendment,

**Amendment.**

That the following named gentlemen be appointed a Special Committee to strike the Standing Committees for the current year, viz., Messrs. Hershey, Lee, Garner, Furry, Hooker, Fraser, Coulson, Smith, Page, and the seconder.

Amendment proposed to the Council, was lost on a division.

The original motion being again proposed, was carried on a division.

Moved by Mr. Ramsden, seconded by Mr. Frazer,

**Motion to Appoint Auditor.**

That E. O. Dennison be appointed auditor of Treasurer's accounts for the current year.

Motion proposed to Council,

Moved by Mr. Burger, seconded by Mr. Hooker, in amendment,

**Amendment.**

That the name of E. O. Dennison be erased, and that of E. R. Helms be inserted instead as auditor of Treasurer's accounts for the current year.

Amendment proposed to Council,

Moved by Mr. Cruickshank, seconded by Mr. Hershey, in amendment to the amendment,

**Amendment to Amendment.**

That the name of E. O. Dennison be erased, and that of Geo. Lewis be inserted therefor as auditor of the Treasurer's accounts for the current year.

Amendment to the amendment proposed to the Council, and lost on a division.

Amendment being again proposed, it was

Moved by Mr. Hershey, seconded by Mr. Cruickshank, in amendment to the amendment,

That the name of E. O. Dennison be erased, and that of James E. Morin be inserted instead, as auditor of the Treasurer's accounts for the current year.

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The amendment to the amendment, being proposed, was lost on a division.

The amendment being again proposed,

Moved by Mr. Pringle, seconded by Mr. Morris, in amendment to the amendment,

That the name of E. O. Dennison be erased, and that of James A. Griffith be inserted instead, as auditor of Treasurer's accounts for the current year.

The amendment to the amendment being proposed to the Council was lost on a division.

The amendment being again proposed,

Moved by Mr. Lee, seconded by Mr. Misener, in amendment to the amendment,

That the name of E. O. Dennison be erased and that of Robert A. Campbell be inserted instead thereof, as auditor of the Treasurer's accounts for the current year.

The amendment to the amendment being proposed to the Council, was lost on a division.

The amendment being again proposed,

Moved by Mr. Pringle, seconded by Mr. Morris, in amendment to the amendment,

That the name of E. O. Dennison be erased, and that of J. Priestman, jr., be inserted instead, as auditor of the Treasurer's accounts for the current year.

The amendment to the amendment being proposed, was lost on a division.

The amendment being again proposed, was lost on a division.

The original motion being again proposed,

Moved by Mr. Coulson, seconded by Mr. Law, in amendment,

That the name of E. O. Dennison be erased, and that of John Robinson be inserted instead, as auditor of the Treasurer's accounts for the current year.

John Robinson  
Appointed  
Auditor.

The amendment being proposed, was carried on a division.

The hour of adjournment having arrived, the Warden left the chair.

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## SECOND DAY—MORNING SESSION.

WEDNESDAY, Jan. 28th, 1880.

Council Re-  
sumed.

Pursuant to adjournment, the Council met at 9 o'clock a.m.

The Warden in the chair.

Present.

Members present—Messrs. Baker, Burgar, Coulson, Cruickshank, Frazer, Furry, Garner, Hershey, Hooker, Keller, Johnston, Law, Lee, Metler, Misener, Morris, Page, Pringle, Ramsden, Smith, and Upper—21.

The minutes of yesterday were read by the Clerk, and approved by the Council.

The Warden presented communications

Communica-  
tions,

From L. D. Raymond, County Solicitor, *re* Welland River Bridge,

Also from M. W. Bridgeman, *re* Public School Inspector.

Also from Department of Minister of Railways and Canals, *re* Humberstone Bridge,

Also from same, *re* same Bridge.

Moved by Mr. Hershey, seconded by Mr. Pringle,

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That the Communication of the Provincial Secretary, in regard to the construction of a Detached Fire Proof Registry Office, be referred to a Special Committee, composed of the following gentlemen, with instructions to report to Council as early, during the present session, as possible, viz. : Messrs. Lee, Garner, Frazer, Smith, Law, and mover and seconder. Carried.

Motion re Registry Office.

Moved by Mr. Hershey, seconded by Mr. Coulson,

That leave be given to introduce a Bill for the appointment of auditors of Treasurer's accounts for the current year.

Bill for Appointment of Auditors.

Leave granted.

Moved by Mr. Hershey, seconded by Mr. Coulson,

That the Bill for the appointment of auditors be read a first time. Carried.

Bill read a first time.

Moved by Mr. Hershey, seconded by Mr. Coulson,

That the Bill for the appointment of auditors be read a second time. Carried.

Bill read a second time, in pursuance of motion.

Moved by Mr. Hershey, seconded by Mr. Coulson,

That the Bill for the appointment of auditors be not now committed, but that it be read a third time forthwith, that it do pass, be signed and sealed, as required by law, and that its title be as in the Bill. Carried.

Bill read a third time and passed, entitled, "An Act for the Appointment of Auditors."

Moved by Mr. Hershey, seconded by Mr. Baker,

That leave be given to introduce a bill for the appointment of members of the Board of Audit for the current year.

Bill to Appoint Members of Board of Audit.

Leave granted.

Moved by Mr. Hershey, seconded by Mr. Baker,

That the bill for the appointment of members of the Board of Audit be read a first time. Carried.

Bill read a first time, pursuant to motion.

Moved by Mr. Hershey, seconded by Mr. Baker,

That the Bill for the appointment of members of the Board of Audit be read a second time. Carried.

Bill read a second time, in pursuance of motion.

Moved by Mr. Hershey, seconded by Mr. Baker,

That the Bill be not now committed, but that the same be read a third time forthwith, that it do pass, be signed and sealed as required by law, and that its title be as in the Bill. Carried.

Bill read a third time and passed, entitled, "An Act for the Appointment of Members of the Board of Audit."

Moved by Mr. Cruickshank, seconded by Mr. Coulson,

Insurance Policies.

That the Clerk be required to lay before this Council a statement of the number of Insurance Policies now in force on the County Buildings, the amount of each of such policies, the name of the Company insuring, and the dates at which such policies expire, also rate paid on each. Carried.

Moved by Mr. Lee, seconded by Mr. Misener,

That the name of Mr. Hooker, Reeve of Welland, be added to Special Committee of Council to report *re* Registry Office. Carried.

Dr. Johnston presented Certificate of Election as Deputy Reeve of the Town of Thorold, and took his seat at the Council Board.

The Special Committee to strike the Standing Committees for the current year was allowed to retire.

Mr. Raymond  
*re* Welland  
Bridge.

Mr. Raymond, County Solicitor, was allowed to address the Council in reference to Welland Bridge opinion, ordered at December session.

The Special Committee returned from Committee Room, and pre-

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presented Report of Special Committee to strike Standing Committees for the current year.

Moved by Mr. Hershey, seconded by Mr. Frazer,

That the Report of the Special Committee to strike the Standing Committees, for the current year, now on the table, be received and read. Carried.

Report read in pursuance of motion.

Moved by Mr. Hershey, seconded by Mr. Frazer,

That the Report of the Special Committee to strike the Standing Committees, just read, be adopted. Carried.

Report Adopted.

Moved by Mr. Cruickshank, seconded by Mr. Frazer,

That the sum of ten dollars be granted by this Council in aid of the Ontario Rifle Association, said amount to be used for their prize list for the current year. Carried.

Grant.

Moved by Mr. Keller, jr., seconded by Mr. Law,

That this Council instruct the Road and Bridge Committee to inspect the Bridge spanning the Welland River, in the Municipality of Chippawa, and that they take such action as they in their judgment think proper, if the said bridge be out of repair. Carried.

The hour of adjournment having arrived, the Warden left the chair.

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## SECOND DAY—AFTERNOON SESSION.

At 2 o'clock p.m., the Council resumed.

The Warden read from the Statutes, for the information of Councilors, clauses in reference to duties of auditors,

Duties of Auditors.

Also returns from County Treasurer, pursuant to motion of yesterday.

Notice of Bill  
re County  
Valuators

Mr. Ramsden gives notice, that he will, on to morrow, ask leave to introduce a Bill to Repeal By-Law No. 303, *re* County Valuators.

Moved by Mr. Cruickshank, seconded by Mr. Coulson,

Bill re Appoint-  
ment of H. S.  
Trustees.

That leave be given to introduce a Bill for the appointment of High School Trustees to fill the vacancies about to occur.

Leave granted.

Moved by Mr. Cruickshank, seconded by Mr. Coulson,

That the Bill for the appointment of High School Trustees be read a first time. Carried.

Bill read a first time, in blank.

Moved by Mr. Law, seconded by Mr. Coulson,

Appointment  
of H. S. Trus-  
tees for Drum-  
mondville.

That the blanks in the Bill for the appointment of High School Trustees, in the matter of Drummondville High School, be filled up with the names of Harrison C. Mewburn and John A. Orchard, Esqs. Carried.

Moved by Mr. Frazer, seconded by Mr. Cruickshank,

For Thorold.

That the blank in the Bill for the appointment of High School Trustees, in the matter of the Thorold High School, be filled up with the name of R. J. Johnston. Carried.

Moved by Mr. Hooker, seconded by Mr. Frazer,

For Welland.

That the name of J. H. Price be inserted in the blank for Bill for the appointment of High School Trustees, in the matter of the Welland High School. Carried.

Pursuant to foregoing motions, the blanks were filled up in the Bill or the appointment of High School Trustees.

Moved by Mr. Cruickshank, seconded by Mr. Coulson,

That the Bill for the appointment of High School Trustees be now read a second time. Carried.

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Bill read a second time, in pursuance of motion.

Moved by Mr. Cruickshank, seconded by Mr. Coulson,

That the Bill be not now committed, but that the same be now read a third time forthwith, that it do pass, be signed and sealed, as required by law, and that its title be as in the Bill. Carried.

The Bill was read a third time, pursuant to motion, and passed, entitled, "An Act for the Appointment of High School Trustees."

Bill Passed.

The Warden presented a Communication from County Solicitor, *re* Appointment of Caretaker,

Also from Blake, Kerr, Boyd and Cassels, *re* opinion Welland Bridge.

In pursuance of notice, by Mr. Buchner at the December Session of 1879, of this Council, *re* By-Law of the Township of Crowland, that leave be given for the closing up and conveyance to Luther Boardman of the Side Line, between lots 2 and 3, in the Fourth Concession of the Township of Crowland,

Conveyance of  
Side Line to  
Luther Board-  
man.

Leave granted.

Moved by Mr. Hooker, seconded by Mr. Burgar,

That the Bill for confirming of By-Law No. 9, of Crowland, be read a first time. Carried,

Bill read a first time.

Moved by Mr. Hooker, seconded by Mr. Burgar,

That the By-Law be read a second time.

Upon the second reading being proposed,

Mr. Morris, Reeve of Crowland, presented a petition from Jeremiah Tuttle and 24 others, praying that the By-Law No. 9 of Crowland be not confirmed.

Petition against  
By-Law No.  
9 of Crowland

Petition re By-Law No. 9 of Crowland.

By permission, Mr. Boardman addressed the Council, and presented a petition, signed by Mr. S. Lunday and 33 others, praying that the By-Law No. 9 of Crowland be confirmed by this Council.

By permission, Messrs. Dell and Tuttle addressed the Council for and against the confirmation of By-Law No. 9.

The second reading being again proposed,

Moved by Dr. Johnston, seconded by Mr. Pringle, in amendment,

Amendment re By-Law.

That a Committee, consisting of Messrs. Frazer, Hershey, and Garner, be appointed, with instructions to examine the premises referred to in By-Law of Township of Crowland, in re Side Line, between Lots 2 and 3, in 4th Concession of above-mentioned Township, and to report at next session of Council.

The amendment being proposed to the Council, and Mr. Page calling for, the yeas and nays were taken as follows :

YEAS—Messrs. Baker, Coulson, Cruickshank, Johnston, Keller, Lee, Metler, Misener, Pringle and Ramsden—10.

NAYS—Messrs. Bugar, Furry, Hooker, Law, Page, Smith, and Upper—7.

Amendment Carried.

Amendment passing in the affirmative ; majority—3.

Moved by Mr. Coulson, seconded by Mr. Cruickshank,

Communication County Solicitor.

That the communication of the County Solicitor, now on the table, in regard to care of offices in the Court House, be referred to the Gaol Committee, with instructions to report thereon. Carried.

Tramp Nuisance.

The Warden presented telegram from the Warden of Bruce, re Tramp Nuisance.

Moved by Dr. Johnston, seconded by Mr. Frazer,

By-law to raise Funds.

That leave be given to introduce a By-Law to authorize the Warden of the County of Welland to borrow a sum of money.

Leave granted.



Moved by Dr. Johnston, seconded by Mr. Frazer,

That the Bill to authorize the Warden to borrow a sum of money, be read a first time. Carried.

Bill read a first time, pursuant to the motion.

Moved by Dr. Johnston, seconded by Mr. Frazer,

That the Bill be read a second time. Carried.

Bill read a second time, in pursuance of motion.

Moved by Dr. Johnston, seconded by Mr. Frazer,

That the Bill be not now committed, but that the same be read a third time forthwith, that it do pass, be signed and sealed, as required by law, and that its title be as in the Bill. Carried.

Bill read a third time, and passed, entitled, "A By-Law, Authorizing the Warden of the County of Welland to Borrow a Sum of Money." By-Law passed

Moved by Dr. Johnston, seconded by Mr. Frazer,

That the Warden be authorized to take up a certain note, maturing 29th inst. at Bank of Commerce, Thorold, paying \$1,320.50, and negotiating another loan for \$3,000. Carried. Bank of Commerce.

Moved by Mr. Hooker, seconded by Mr. Metler,

That the Reeve for Town of Thorold, Mr. Alexander Frazer, be added to Committee on Roads and Bridges. X  
Motion to Add to Committee

Motion proposed to Council, and the yeas and nays being called for were taken as follows;

YEAS—Messrs. Coulson, Cruickshank, Hooker, Johnston, Keller, Lee, Metler, and Upper—8.

NAYS—Messrs. Baker, Burgar, Frazer, Furry, Garner, Law, Misener, Page, Pringle, Ramsden, and Smith—11.

Motion passing in the negative; majority—3.

Motion Lost.

Moved by Mr. Page, seconded by Mr. Law.

**Road & Bridge  
Report.**

That the report of Local Committee on Roads and Bridges for Thorold and Stamford be received and read. Carried.

Report read, in pursuance of motion.

Moved by Mr. Page, seconded by Mr. Law,

**Report Adopt-  
ed.**

That the report of Local Committee on Roads and Bridges for Thorold and Stamford, just read, be adopted. Carried.

Moved by Mr. Cruickshank, seconded by Mr. Frazer,

**Committee on  
Salaries Re-  
port.**

That the report of Committee on Salaries be received and read. Carried.

Report read, pursuant to motion,

Moved by Mr. Cruickshank, seconded by Mr. Keller,

That the report of Committee on Salaries, just read, be adopted.

Motion proposed to the Council,

Moved by Mr. Garner, seconded by Mr. Furry, in amendment,

**Amendment to  
salaries Re-  
port.**

That the report of Committee on Salaries be referred back to said Committee, with instructions to amend the same, by striking out the figures \$600 opposite the Treasurer's name, and inserting \$500 instead.

Motion proposed to the Council, and Mr. Garner calling for, the yeas and nays were taken as follows :

YEAS—Messrs. Furry, Garner, Hershey, Law, Metler, Page, Pringle and Smith—8.

NAYS—Messrs. Baker, Bugar, Coulson, Cruickshank, Frazer, Johnston, Keller, Lee, Misener, Ramsden and Upper—11.

**Amendment  
Lost.**

The amendment passing in the negative ; majority—3.

Moved by Mr. Cruickshank, seconded by Mr. Keller,

That leave be given to introduce a Bill to fix the salaries of the several officers of this Council.

Leave granted.

Moved by Mr. Cruickshank, seconded by Mr. Frazer,

That the Bill to fix the salaries of the several officers of this Council be read a first time. Carried. Bill in re Official Salaries.

Bill read a first time, pursuant to motion.

Moved by Mr. Cruickshank, seconded by Mr. Frazer,

That the Bill to fix the salaries of the several officers of this Council be read a second time. Carried.

Bill read a second time, pursuant to motion.

Moved by Mr. Cruickshank, seconded by Mr. Frazer,

That the Bill to fix salaries be not now committed, but that the same be read a third time forthwith, that it do pass, be signed and sealed as required by law, and that its title be as in the Bill. Carried. Bill Passed fixing Salaries.

Bill read a third time, and passed, entitled, "A By-Law to Fix Salaries."

The hour of adjournment having arrived, the Warden left the chair,

## THIRD DAY—MORNING SESSION.

THURSDAY, Jan. 29th, 1880.

Pursuant to adjournment, the Council met at 9 o'clock a.m.

The Warden in the Chair.

Members Present.

Members present: Messrs. Baker, Burgar, Coulson, Cruickshank, Duncan, Frazer, Furry, Garner, Hershey, Hooker, Keller, Law, Lee, Metler, Misener, Morris, Page, Pringle, Ramsden, Smith, and Upper—21.

Minutes of yesterday were read by the Clerk, and approved by the Council.

The Warden presented report of County Clerk, *re* Insurance on County Buildings.

Moved by Dr. Johnstone, seconded by Mr. Burgar,

County Buildings Insurance.

That the Clerk be, and he is hereby instructed, to reassess on the most favorable terms, by three years' method, County Buildings, Library, and Furniture therein, in first-class Insurance Companies, to the amount of Policies now existing, at the expiry of such Policies. Carried.

By permission of Warden, the Marsh Lands Committee were allowed to retire.

Marsh Lands Committee Report.

Upon the return of Marsh Lands Committee, Mr. Lee presented report of Committee.

Moved by Mr. Lee, seconded by Mr. Hershey,

That the report of Standing Committee on Marsh Lands, now on the table, be received and read. Carried.

Report read, in pursuance of motion.

Moved by Mr. Lee, seconded by Mr. Hershey,

That the first report of Committee on Marsh Lands, just read, be adopted.

The motion proposed to the Council, upon which a lengthy discussion arose, and

The hour of adjournment having arrived, the Warden left the chair.

### THIRD DAY—AFTERNOON SESSION.

At 2 o'clock p.m., the Council resumed.

The motion for the adoption of report of Committee on Marsh Lands being again considered, it was

Moved by Mr. Cruickshank, seconded by Mr. Furry,

That, whereas the area of lands owned by the County in the vicinity of the Daly Ditch is very small; and that the benefit to be derived from the proposed completion of the said Ditch will be much less than the sum which will be required to finish the work;

1st Amendment  
re Marsh Lands

And, whereas a very large sum of money will probably be expended during the current year for the construction and repairs of public buildings, it is inexpedient to expend any further sum at present in the prosecution of work upon the aforesaid Ditch.

The amendment being proposed to the Council, and Mr. Bargar calling for, the yeas and nays were taken as follows:

YEAS—Messrs. Baker, Bargar, Cruickshank, Furry, Law, Metler and Smith—8.

NAYS—Messrs. Frazer, Garner, Hershey, Hooker, Johnston, Keller, Lee, Misener, Page, Pringle, Ramsden and Upper—12.

The amendment passing in the negative; majority—4.

Amendment  
Lost.

The original motion being again proposed for the adoption of the report, it was

Moved by Mr. Hershey, seconded by Mr. Garner, in amendment,

2d Amendm't  
to Report.

That the report of the Committee on Marsh Lands, now on the table, be referred back to the said Committee, with instructions to amend the same, by making the letting of any contract tending toward the completion of the Daly Ditch enlargement, subject to the ratification of the whole Council; that no such completion be undertaken further up than where the said Daly Ditch touches the main drain.

Motion proposed to the Council, and Mr. Furry calling for, the yeas and nays were taken as follows :

YEAS—Messrs. Baker, Garner, Hershey, Hooker, Metler and Smith—6.

NAYS—Messrs. Burgar, Cruickshank, Frazer, Furry, Johnston, Keller, Law, Lee, Misener, Morris, Page, Pringle and Upper—13.

Amendment  
Lost.

Amendment passing in the negative ; majority—7.

The original motion being again proposed,

Moved by Mr. Pringle, seconded by Mr. Morris, in amendment,

2d Amendm't  
to Report.

That the report of the Marsh Lands Committee be referred back to the said Committee, with instructions so to amend the report as to recommend this Council to hand over the Daly Ditch to the Township of Wainfleet, and allow the said Township the full benefit of the expenditure of over two thousand dollars, which by this County has been made upon the said Ditch ; and that the said Committee, in their amended report, recommend the Township of Wainfleet to assume and complete the said Daly Ditch at its pleasure.

Point of Order  
Raised.

Before vote was taken, Dr. Johnston raised a point of order, that the amendment, moved by Mr. Pringle was, in effect, identical with the amendment moved by Mr. Cruickshank ; both amendments recommended no expenditure, and, therefore, Mr. Pringle's amendment was out of order.

The Warden sustained Mr. Pringle's amendment.

The amendment proposed to the Council, Mr. Burgar calling for, the yeas and nays were taken as follows :



**YEAS**—Messrs. Baker, Burgar, Cruickshank, Furry, Garner, Hershey, Law, Metler, Morris, Pringle and Smith—11. Amendment  
Carried.

**NAYS**—Messrs. Frazer, Hooker, Johnston, Keller, Lee, Misener, Page, Ramaden, and Upper—9.

Amendment passing in the affirmative ; majority—2.

Pursuant to the amendment, the report of Marsh Lands Committee was referred back.

The hour of adjournment having arrived, the Warden left the chair.

## FOURTH DAY—MORNING SESSION.

FRIDAY, Jan. 30th, 1880.

Pursuant to adjournment, the Council met at 9 o'clock a.m.

The Warden in the chair.

Minutes Con-  
firmed, with  
Exception.

Members present: Messrs. Baker, Burgar, Coulson, Cruick-  
shank, Duncan, Frazer, Furry, Garner, Hershey, Hooker, Keller, Law,  
Lee, Metler, Misener, Morris, Page, Pringle, Ramsden, and Smith.  
—20.

The minutes of yesterday were read by the Clerk, and, with the  
exception of the insertion suggested by Dr. Johnston of a point of  
order raised by him on Mr. Pringle's amendment to the adoption of  
report of Marsh Lands Committee, the minutes were confirmed.

The Warden presented report of County Inspector of Schools, for  
1879.

Also telegram from Provincial Secretary, *re* Registry Office.

Also from same, particulars for erection of Registry Office.

Moved by Dr. Johnston, seconded by Mr. Hooker,

Whereas, the County Line between Lincoln and Welland, is formed  
in part by the St. David's Road;

And, whereas the Bridge over Ten Mile Creek, on said road should,  
in the interest of the travelling community, be repaired:

Therefore, be it resolved,—That a Local Committee, consisting of

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That  
County

Leave

Moved

That

Reeves of Stamford, and Town of Thorold be appointed, with authority to expend, in the construction of said bridge, a sum not exceeding \$50 on behalf of this County, on the condition that the County of Lincoln provides an equal amount.

Motion re  
Bridge on  
Ten Mile  
Creek.

The motion proposed to the Council, and Mr. Garner calling for, the yeas and nays were taken as follows :

YEAS—Messrs. Burgar, Coulson, Cruickshank, Frazer, Hooker, Johnston, Keller, Lee and Metler—9.

NAYS—Messrs. Baker, Furry, Garner, Hershey, Law, Misener, Morris, Page, Ramsden and Smith—10.

The motion passing in the negative ; majority—1.

Motion Lost.

Moved by Dr. Johnston, seconded by Mr. Frazer,

Whereas in the extensive system of drainage rendered necessary to utilize, for agricultural and grazing purposes, the Great Cranberry Marsh Lands, Ditches, to convey the water therefrom, have been made leading to the culverts under the Welland Canal Feeder ;

And, whereas said culverts and back ditches made by the Government have proven entirely insufficient to permit the passage of the water from said ditches; and great damage is thereby done to the settlers on said lands ;

Therefore, be it resolved,—That this Council memorialize the Hon. the Minister of Canals and Railways, shewing that the culverts and ditches having proven insufficient for the purposes for which they were made, he will be pleased to direct the enlargement of present culverts and back ditches, or the construction of others. Carried.

Memorial to  
Minister of Can-  
als and Rail-  
ways, re Cul-  
verts, &c

Moved by Mr. Ramsden, seconded by Mr. Keller,

That leave be given to repeal, in part, By-Law No. 303 of the County of Welland, re Valuers.

Leave granted.

Moved by Mr. Ramsden, seconded by Mr. Keller,

That the bill for the repealing, in part, of By-Law No. 303, re

Bill re By-Law  
308 and Valua-  
tors.

Valuators and appointment of another Valuator, be read a first time.  
Carried.

Bill read a first time, pursuant to motion, in blank.

Moved by Mr. Ramsden, seconded by Dr. Johnston,

That the name of George Page be inserted in blank in By-Law appointing County Land Valuator.

Moved by Mr. Garner, seconded by Mr. Lee, in amendment,

John Misener  
Appointed  
Valuator.

That the name of George Page be erased, and that the name of John Misener be inserted in the bill for the appointment of Valuator.

The amendment being proposed, was carried without a division.

Pursuant to the motion, the blank in the Bill was filled up with the name of John Misener.

Moved by Mr. Ramsden, seconded by Mr. Keller,

That the Bill be read a second time. Carried.

Bill read a second time, pursuant to the motion.

Moved by Mr. Ramsden, seconded by Mr. Keller,

That the Bill be not now committed, but that it be read a third time forthwith, that it do pass, be signed and sealed, as required by law, and its title be as in the Bill. Carried.

Bill Passed, re  
Valuator of  
County Lands.

Bill read a third time and passed, entitled, "A By-Law to Repeal in part By-Law No. 303, and the Appointment of a Valuator of County Lands."

Moved by Dr. Johnston, seconded by Mr. Frazer,

Report of  
School Inspec-  
tor to be print-  
ed.

That the report of the Inspector of Schools for the County of Wel- land be printed for information of those concerned in the proceedings of this Council. Carried.

Moved by Mr. Page, seconded by Mr. Upper,

That, whereas complaints have been made from time to time, to the

Municipal Council of the Township of Thorold, in regard to a Bridge on the County Line, between Lincoln and Welland, known as the De Cew Town Bridge, as it is reported to be in an unsafe condition for public travel, DeCew Bridge.

This Council would recommend the Road and Bridge Committee to see to it at the earliest convenient season, and to take such action as they think proper to cause the above-mentioned Bridge to be placed in a proper state of repair.

A lengthy discussion ensued, wherein most of the members engaged, and

The hour of adjournment having arrived, the Warden left the chair.

#### FOURTH DAY—AFTERNOON SESSION.

At 2 o'clock p.m. the Council resumed.

The consideration of Mr. Page's motion being again introduced was carried without a division.

Moved by Mr. Garner, seconded by Mr. Bugar,

That, whereas there are several Standing Committees whose duty it is to have certain work done in the County, for which payment is made by the County Treasurer, upon the order of the Chairman of the various Committees, from time to time, the orders so given are supposed to be covered by the Warden's cheque; Motion, re Warden's Cheque.

And, whereas the orders, in many cases, are not taken up by the person who issued it;

Therefore, be it resolved,—That, in future, no payment be made by the County Treasurer upon the orders of the Chairman of any Standing Committee, but that when such orders are issued by the

Chairmen of the Committees, with the consent of such Committee, that the Chairman do forward the order to the County Clerk, and that the Clerk do issue a cheque for the amount therein recommended, and that the cheque, accompanied by Chairman's order, be forwarded to the Warden and, if considered satisfactory by him, attach his signature thereto, and forward to the party entitled to receive the same; and that a copy of this resolution be sent to the County Treasurer. Carried.

Moved by Mr. Frazer, seconded by Dr. Johnston,

Motion to  
Erase Name.

That the name of Alexander Frazer be erased from the Committee on Marsh Lands.

Motion Lost.

Motion proposed to the Council, and lost on a division.

Moved by Mr Cruickshank, seconded by Mr. Hershey,

Instruction to  
Auditors.

That it be an instruction of this Council to the Auditors of the Treasurer's accounts to have their audit completed before the first day of March, 1880. Carried.

By permission, the Registry Office Committee were allowed to retire.

The Registry Office Committee returned, and submitted their report.

Moved by Mr. Hershey, seconded by Mr. Frazer,

Motion re Reg-  
istry Office  
Committee  
Report.

That the report of Special Committee, to whom was referred the communication of the Provincial Secretary in regard to the immediate construction of a detached Fire Proof Registry Office, be received and read. Carried.

Report read, in pursuance of motion.

Moved by Mr. Hershey, seconded by Mr. Frazer,

Report Adopt-  
ed.

That the report of Special Committee on Registry Office matter, just read, be adopted. Carried.

Moved by Dr. Johnston, seconded by Mr. Pringle,

That, in the opinion of this Council, it is desirable that the con-

struction  
of Well

And  
follows

YEAS  
Johnston

NAYS  
Page, R

Motion

Moved

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Motion

Moved  
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That,  
Committee  
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struction of a New Isolated Fire Proof Registry Office for the County of Welland be undertaken by this Council.

**Motion re Registry Office Building.**

And Mr. Pringle calling for, the yeas and nays were taken as follows:

**YEAS**—Messrs. Coulson, Cruickshank, Frazer, Hershey, Hooker, Johnston, Keller, Lee, Misener and Pringle—10.

**NAYS**—Messrs. Baker, Burgar, Furry, Garner, Law, Metler, Morris, Page, Ramsden, Smith and Upper—11.

Motion passed in the negative ; majority—1.

**Motion Lost.**

Moved by Mr. Burgar, seconded by Mr. Frazer,

That the motion, as to the desirability of building a Registry Office be re-amended.

**Motion to Re-Amend.**

Motion proposed to the Council, was carried on a division.

**Motion Carried**

Moved by Dr. Johnston, seconded by Mr. Furry,

That in the opinion of this Council, it is desirable to procure plans and specifications for a Registry Office,

Therefore, be it resolved,—That a committee, consisting of the Warder, Messrs. Frazer and Burgar, be instructed to procure plans and specifications for Detached Fire Proof Registry Office, and submit the same for approval of Government, to select a suitable site or sites, ascertaining the cost thereof, and advertise for tenders for the erection of said office, and all necessary work connected therewith, and submit the whole matter for approval, or disapproval, of Council at June Session.

**Motion re Registry Office, Detached Building.**

Motion proposed to Council,

Moved by Mr. Cruickshank, seconded by Mr. Hershey, in amendment,

That, in the opinion of this Council, it is not expedient to appoint a Committee for the purpose of selecting a site for a new Registry Office and obtaining plans and specifications for the construction of the same,

**Amendment.**

unless it be the opinion of this Council that a new Registry Office should be built.

Motion submitted to Council, and Mr. Cruickshank calling for, the yeas and nays were taken as follows :

YEAS—Messrs. Baker, Cruickshank, Frazer, Hershey, Law, Misener and Pringle—7.

NAYS—Messrs. Bugar, Coulson, Furry, Garner, Hooker, Johnston, Keller, Lee, Metler, Morris, Page, Ramsden, Smith and Upper—14.

Lost.

Amendment passing in the negative; majority—7.

The original motion being again proposed,

Moved by Mr. Hershey, seconded by Mr. Cruickshank, in amendment,

2d Amendm't.

That this Council, in compliance with the request of a certain clause in the report of Special Committee, to whom was referred the communication of the Provincial Secretary requiring the immediate construction of a Registry Office,

*Resolved*,—That, in compliance with the demand of the Government above referred to, it is necessary to procure plans and specifications and proceed with the construction of the said building at the earliest possible date, provided, always, that in case the cost of such building, at the time of obtaining full and complete information, does not exceed such an amount as this Council may consider themselves warranted in expending under all the circumstances

Motion proposed to Council, and Mr. Cruickshank calling for, the yeas and nays were taken as follows :

YEAS—Messrs. Baker, Bugar, Coulson, Cruickshank, Garner, Hershey, Hooker, Law, Lee, Metler, Misener and Pringle—12.

NAYS—Messrs. Frazer, Furry, Johnston, Keller, Morris, Page, Ramsden, Smith and Upper—9.

Amendment  
Carried.

Amendment passing in the affirmative; majority—3.

Moved by Mr. Hershey, seconded by Mr. Cruickshank,

That the following named gentlemen be a committee to procure plans and specifications for Registry Office; submit the same to Government for approval, to ascertain cost of suitable sites, advertise for tenders, and procure as full and complete information as possible, and lay the whole matter before this Council, for their consideration, early in the June Session, viz., the Warden, Messrs. Burgar and Frazer. Carried.

Motion to Appoint Committee re Registry Office.

The Warden presented the Honorable Edward Blake's opinion, re Welland Bridge.

Legal Opinion re Welland Bridge.

▲ discussion arose thereupon, and,

The hour of adjournment having arrived, the Warden left the chair, Mr. Hooker having the floor.

## FIFTH DAY—MORNING SESSION.

SATURDAY, Jan. 31st, 1880.

Council met, pursuant to adjournment, at 9 o'clock a.m.

The Warden in the chair.

Present,

Members present—Messrs. Baker, Burgar, Cruickshank, Frazer, Furry, Garner, Hershey, Hooker, Johnston, Keller, Law, Lee, Metler, Misener, Morris, Page, Pringle, Ramsden, Smith and Upper—20.

Minutes read.

Minutes of yesterday were read by the Clerk, and approved by the Council.

Mr. Hooker continued his remarks in reference to Welland Bridge and Hon. Edward Blake's opinion.

By permission, the Gaol Committee was allowed to retire.

Moved by Mr. Cruickshank, seconded by Dr. Johnston,

First Report  
Finance Com-  
mittee.

That the first report of the Standing Committee on Finance be received and read. Carried.

Report read, in pursuance of motion.

Moved by Mr. Cruickshank, seconded by Dr. Johnston,

Report Adopt-  
ed.

That the first report of the Standing Committee on Finance, just read, be adopted. Carried.

Marsh Lands  
Committee Re-  
port.

Mr. Lee, from Standing Committee on Marsh Lands, presented their amended report, pursuant to motion.

Moved by Mr. Hershey, seconded by Mr. Garner,

That the amended report of the Standing Committee on Marsh Lands, now on the table, be received and read. **Report Read.** Carried.

Amended report read, in pursuance of motion.

Moved by Mr. Pringle, seconded by Mr. Morris,

That the amended report of the Marsh Lands Committee, just read, be adopted. **Motion to Adopt Report.**

Motion proposed to the Council,

Moved by Mr. Lee, seconded by Mr. Ramsden, in amendment,

That the amended report of Marsh Lands Committee be not adopted, but that said report be referred back to said Committee, with instructions to amend the same by instructing the Marsh Lands Committee to advertise for tenders for the completion of the Daly Ditch according to plans and specifications, up to a point to within one chain of where the main drain runs west. **Amendment.**

Amendment proposed to Council, and Mr. Cruickshank calling for, the yeas and nays were taken as follows:

**YEAS**—Messrs. Frazer, Hooker, Johnston, Keller, Lee, Misener, Page, Ramsden and Upper—9.

**NAYS**—Messrs. Baker, Burgar, Cruickshank, Furry, Garner, Hershey, Law, Metler, Morris, Pringle and Smith—11.

Amendment passing in the negative; majority—2.

**Amendment  
Lost.**

Original motion being again proposed, it was

Moved by Dr. Johnston, seconded by Mr. Frazer,

That this Council do now adjourn, to meet at the hour of 1:30 p.m. Carried.

Pursuant to motion, the Council adjourned.

## FIFTH DAY—AFTERNOON SESSION.

At 1:30 p.m. the Council resumed.

The original motion for the adoption of the report of the amended report of Marsh Lands Committee being again proposed, and Mr. Pringle calling for, the yeas and nays were taken as follows :

**YEAS**—Messrs. Baker, Burgar, Cruickshank, Furry, Garner, Hershey, Law, Metler, Morris, Pringle and Smith—11.

**NAYS**—Messrs. Frazer, Hooker, Johnston, Keller, Lee, Misener and Upper—7.

**Motion Carried** The original motion for the adoption of the amended report of Marsh Lands Committee passing in the affirmative; majority—4.

Moved by Mr. Garner, seconded by Mr. Furry,

**Road & Bridge Report.**

That the first report of the Committee on Roads and Bridges be received and read. Carried.

Report read, in pursuance of motion.

Moved by Mr. Garner, seconded by Mr. Furry,

**Report Adopted.**

That the first report on Roads and Bridges, just read, be adopted. Carried.

Moved by Mr. Hershey, seconded by Mr. Cruickshank,

**Municipal Blanks.**

That all the necessary blanks for the several municipalities not now taken by Councilmen, be at once forwarded to the several Clerks by express. Carried.

Moved by Mr. Hershey; seconded by Mr. Cruickshank,

**Memorial re Vagrant Act.**

That leave be given to introduce a Memorial to the Honorable the House of Commons of Canada, in regard to amending the Vagrant Act.

Leave granted.

Moved by Mr. Hershey, seconded by Mr. Cruickshank,

That the memorial be read a first time. Carried.



Memorial read a first time, in pursuance of motion.

Memorial read  
First Time.

Moved by Mr. Hershey, seconded by Mr. Cruickshank,

That the memorial be read a second time.

Upon the second reading being proposed,

Moved by Dr. Johnston, seconded by Mr. Keller, in amendment,

That the memorial be read this day three months.

Amendment.

Amendment proposed to Council, and carried on a division.

Amendment  
Carried.

Moved by Mr. Page, seconded by Dr. Johnston,

Whereas the road leading easterly from Keefer's Bridge, in the Town of Thorold, is used in lieu of the County Line between parts of Welland and Lincoln,

Motion *re*  
Bridge Ten  
Mile Creek.

And, whereas said road crosses the Ten Mile Creek by a Bridge, and the interests of the travelling community would be greatly promoted by so constructing a bridge as to lessen the length of the approaches thereto,

Therefore, be it resolved,--That the Road and Bridge Committee be authorized to expend a sum approximating to, but not exceeding, \$45, in the improvement of said bridge, on behalf of this County, providing that from the County of Lincoln an equal amount is obtained.

Carried.

Carried.

Moved by Mr. Ramsden, seconded by Mr. Morris,

That leave be given to introduce a memorial to the Legislative Assembly of the Province of Ontario, *re* Market Fees.

Memorial *re*  
Market Fees.

Leave granted.

Moved by Mr. Ramsden, seconded by Mr. Garner,

That the memorial be read a first time. Carried.

Memorial read a first time, pursuant to the motion.

Moved by Mr. Ramsden, seconded by Mr. Garner,

That the memorial be read a second time.

Upon the second reading being proposed,

Moved by Mr. Bargar, seconded by Dr. Johnston,

Amendment.

That the memorial be so amended as to make it compulsory on the County to pay for one half the cost of all market houses, sheds, and pavements.

Amendment  
Lost.

Amendment proposed, and lost on a division.

The second reading being again proposed,

Moved by Mr. Frazer, seconded by Dr. Johnston,

Motion to Ad-  
journ Debate.

That the debate on this memorial be adjourned.

Motion Lost.

Motion proposed, and lost.

On second reading being again proposed, and Mr. Garner calling for the yeas and nays were taken as follows ;

YEAS—Messrs. Baker, Furry, Garner, Hershey, Law, Metler, Misener, Morris, Page, Ramsden, Smith, and Upper—12.

NAYS—Messrs. Bargar, Cruickshank, Frazer, Hooker, Johnston, Keller, Lee, and Pringle —8.

Motion for second reading passing in the affirmative ; majority—4.

Moved by Mr. Ramsden, seconded by Mr. Garner,

Motion for 3rd  
Reading.

That the memorial be not now committed, but that the same be read a third time forthwith, that it do pass, be signed by the Warden and Clerk, and attach the Corporate Seal, and transmit the same to Daniel Near, M.P.P., for presentation.

The memorial read a third time, on a division.

Moved by Mr. Hershey, seconded by Mr. Cruickshank,

Motion to Ad-  
journ.

That this Council do now adjourn, to meet again at the call of the Warden, early in the month of June. Carried.

Adjourned.

Council adjourned, pursuant to motion, at 3 o'clock p.m.

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APPENDIX A.

BY-LAWS.

COPY OF BY-LAW NO. 9, TOWNSHIP OF CROWLAND,—  
AS PASSED FIRST READING, AND REFERRED TO A  
COMMITTEE, ON SECOND READING, TO BE RE-  
PORTED ON AT JUNE SESSION, 1880.

CHAPTER CCCCXIV.

*A By-Law for closing up and conveying to Luther Boardman, Esq.,  
the Side Line between Lots Nos. Two and Three, in the Fourth  
Concession of the Township of Crowland.*

Whereas John Jackson and fourteen others, of said Township, have  
petitioned the Municipal Council, of said Township, for closing up  
said Side Line and conveying the same to Luther Boardman, Esq.,  
of said Township, in consideration of a sum to be fixed by said  
Council,

And, whereas, by the closing up of said Side Line public travel  
would not be in the least inconvenienced,

And, whereas due notice of the intended passing of this By-Law  
was duly posted up and published, as the Statute required,

SEC. I.—Be it, therefore, enacted by the Municipal Council of the  
Township of Crowland, and it is hereby enacted by the authority of  
the same, that the said Side Line between Lots Nos. two and three in  
the 4th Concession of said Township, be, and is hereby closed and

stopped up, and the right of the public to travel thereon shall forever cease and determine.

Sec. II.—And be it further enacted, that said Side Line, so closed up, shall be sold and conveyed to Luther Boardman, aforesaid, of the Township of Crowland, in the County of Welland, Yeoman, for the sum of thirty-five dollars, and that the Reeve of Crowland do execute a deed of conveyance for the same.

Passed in Council this 22nd day of October, A.D., 1879.

{ L. S. }

Signed, WM. BUCHNER,  
Reeve.

Signed, ALEXANDER REID,  
Clerk.

I certify the foregoing to be a true copy.

Signed, A. REID,  
Township Clerk.

## BY-LAW NO. 414 FOR APPOINTMENT OF AUDITORS.

### CHAPTER CCCCXV.

#### *An Act for the Appointment of Auditors.*

Whereas the Warden has nominated E. R. Hellems as Auditor of the Treasurer's accounts on the part of the head of the Corporation, and this Council has appointed John Robertson as the other auditor, and it is necessary to confirm said appointments,

Be it, therefore, enacted by the Corporation of the County of Welland, and it is hereby enacted, that Egerton R. Hellems, being the

nominee of the Warden, and John Robertson, being the nominee of this Council, be, and they are hereby appointed auditors of the County Treasurer's accounts for the current year.

Passed in Council this 28th day of January, 1880.

{ L. S. }

Signed, GEO. J. DUNCAN,  
Warden,

Signed, J. C. PAGE,  
Clerk.

## BY-LAW NO. 415 FOR THE APPOINTMENT OF HIGH SCHOOL TRUSTEES.

### CHAPTER CCCCXVI.

#### *By-Law for the Appointment of High School Trustees.*

Whereas, it is necessary for the Municipality of the County of Welland to appoint the High School Trustees for each of the High Schools within Incorporated Towns, in said County, to fill the vacancies about to occur in the Boards of such Towns,

And, whereas it is necessary for the Municipality of the County of Welland to appoint two High School Trustees for High Schools situated elsewhere than in Incorporated Towns to fill the vacancy about to occur in such Boards,

Therefore, the Municipality of the County of Welland enacts, and it is hereby enacted, that for the High School situate in the Town of Welland, James H. Price shall be High School Trustee; that for the High School situated in the Town of Thorold, Dr. R. J. Johnston

shall be High School Trustee; and that for the High School situated in the Village of Drummondville, Harrison C. Mewburn and John A. Orchard be High School Trustees.

Passed in Council this 28th day of January, 1880.

{ L. S. }

Signed, GEO. J. DUNCAN,  
Warden.

Signed, J. C. PAGE,  
County Clerk.

## BY-LAW NO. 416 TO BORROW A SUM OF MONEY.

### CHAPTER CCCCXVII.

*By-Law to Authorize the Warden of the County of Welland to Borrow a Sum of Money.*

Whereas it is requisite to provide, for County purposes, a sum of money sufficient to meet demands against the County, due or maturing due during the present year,

And, whereas it is necessary and expedient to provide therefor by By-Law,

Therefore, be it enacted, and it is hereby enacted by the Corporation of the County of Welland, that the Warden is hereby authorized to make any necessary loan to meet the requirements of the County, that may exist or arise during 1880.

Passed in Council this 28th day of January, 1880.

{ L. S. }

Signed, GEO. J. DUNCAN,  
Warden.

Signed, J. C. PAGE,  
County Clerk.



# BY-LAW NO. 417 FOR THE APPOINTMENT OF A BOARD OF AUDIT.

## CHAPTER CCCCXVIII.

### *By-Law for the Appointment of a Board of Audit.*

Whereas, in and by the Revised Statutes of Ontario, Cap. 85, Sec. 7, a Board of Audit is to be appointed for the purposes named therein, to be composed of the Judge, or Junior or acting Judge of the County Court, and two other persons, who shall be appointed annually for that purpose by the County Council of such County, or union of Counties, at their first meeting in each year, not more than one of such persons being a member for the time being of such Council,

And, whereas it is necessary and expedient to give effect to such enactment, in so far as relates to the County of Welland,

Be it, therefore, enacted, and it is hereby enacted by the Corporation of the County of Welland, that Geo. J. Duncan and Fletcher Swayze be, and they are hereby appointed members of the said Board of Audit for the County of Welland, for the current year.

Passed in Council this 28th day of January, 1880.

{ L. S. }

Signed, J. C. PAGE,  
County Clerk.

Signed, GEO. J. DUNCAN,  
Warden.

BY-LAW

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{ L. S. }  
Signed,

## BY-LAW NO. 418 TO FIX SALARIES OF COUNTY OFFICERS.

## CHAPTER CCCCXIX.

*A By-Law to Fix the Salaries of the Several Officers of this Council.*

Whereas it is necessary and expedient to provide, by By-Law, for the payment of the salaries of the several officers of this Council,

Be it, therefore, enacted by the Corporation of the County of Wel- land, and it is hereby enacted, that there shall be paid to the several officers of this Council the following yearly salaries, that is to say—

To the Warden.....	\$100
“ “ Clerk.....	450
“ “ Treasurer.....	600
“ “ Auditors, each.....	20
“ “ Messenger.....	60

And be it, therefore, enacted, that the foregoing sums shall be paid monthly by the Treasurer, upon cheque of the Warden, out of any funds in his hands belonging to this County, not otherwise appro- priated.

Passed in Council this 28th day of January, 1880.

{ L. S. }

Signed, GEO. J. DUNCAN,  
Warden.

Signed, J. C. PAGE,  
County Clerk.

BY-LAW NO. 409 TO REPEAL IN PART BY-LAW NO. 404—  
"APPOINTMENT OF VALUATORS."

CHAPTER CCCCXX.

*An Act to Repeal in part By-Law No. 404 of the County of Welland, and to Appoint a Valuator of County Lands.*

Whereas, on the 31st day of January, 1879, the Council of the County of Welland did pass a By-Law entitled "An Act for the Appointment of Valuers of the County Lands,"

And, whereas since the passing thereof, one of the Valuers, Mr. Lattimore, has ceased to be a member of this Council,

And, whereas it has been found beneficial in the interests of this County that Valuers were then so appointed,

And, whereas it is necessary and expedient that the vacancy should be filled by some member of this Council,

Be it, therefore, enacted by the Corporation of the County of Welland, that John Misener be, and he is hereby appointed as Valuator of County Lands, in room and stead of Mr. Lattimore, who is not now a member of this Council.

Passed in Council this 30th day of January, 1880.

{  
L. S.  
}

Signed, GEO. J. DUNCAN,  
Warden.

Signed, J. C. PAGE,  
County Clerk.

\*.\*The above By-Law is referred to on page 23 as being "By-Law No. 303," which is an error, "404" being the proper number.

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## APPENDIX B.

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### *Reports of Special Committees.*

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#### FIRST REPORT OF LOCAL COMMITTEE, THOROLD AND STAMFORD.

*To the Warden and Councillors of the County of Welland in Council assembled :*

Your Committee find that the pathmaster, on Town Line, between Thorold and Stamford, ordered and got plank from McClary and McLean to the amount of \$11.64, to repair the bridge on said town line.

Your Committee would recommend that the Warden be instructed to issue his cheque on the Treasurer for the above amount, in his favor.

Signed, GEORGE PAGE,  
JOHN A. LAW.

Council Chamber, Welland, Jan. 28th, 1880.

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REPORT OF THE SPECIAL COMMITTEE APPOINTED TO  
STRIKE THE STANDING COMMITTEES.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

Your Committee appointed to Strike the Standing Committees for the current year, beg to submit the following report, viz. :

ON FINANCE.—The Warden, Bugar, Cruickshank, Ramsden, Keller, Dr. Johnston, Law and Baker.

ON ROADS AND BRIDGES.—Garner, Furry, Smith and Misener.

ON GAOL COMMITTEES.—Hooker, Coulson, Pringle, Lee and Hershey.

ON SALARIES.—Cruickshank, Frazer, Morris, Upper, Metler, Law, Baker and Keller.

ON EDUCATION.—Pringle, Johnston, Bugar, Ramsden, Page, Misener, Cruickshank and Metler.

ON PRINTING.—Hershey, Hooker, Frazer, Lee, Furry, Morris and Upper.

ON EQUALIZATION.—Garner, Dr. Johnston, Hershey, Coulson, Law, Bugar, Lee, Pringle, Furry, Smith, Cruickshank, Morris, Keller and Page.

ON MARSH LANDS.—Lee, Garner, Frazer, Ramsden and Hershey.

All of which is respectfully submitted.

Signed, EDWIN HERSHEY,

“ EDWARD LEE,

“ A. FRAZER,

“ ELISHA FURRY,

“ JOHN A. RAMSDEN,

“ J. H. BURGAR,

“ W. B. PRINGLE.

Council Chamber, Welland, Jan. 28th, 1880.

# REPORT OF SPECIAL COMMITTEE, *RE* REGISTRY OFFICE.

*Report of Special Committee to whom was referred the Communication of the Provincial Secretary, requiring the immediate construction of a Fire Proof Detached Registry Office.*

*To the Warden and Councillors of the County of Welland in Council assembled :*

Your Committee beg to report that they have not been able to obtain any positive information in regard to the cost of a suitable site for the location of a Registry Office, should your Council decide to undertake the construction of such an office.

The time given your Committee to obtain any information of practical value from the Government, and bearing on the matter, has been quite too short.

And your Committee find themselves unable to report favorably in regard to the matter, unless instructed by resolution of your Council so to do.

Your Committee beg to recommend, that if a decision be arrived at by your Council, favorable to building, they be instructed to procure plans and specifications, and submit the same to the Government for approval. Also to select a suitable site and ascertain the cost of the same, and likewise to advertise for tenders, and submit the whole matter to the Council, in proper shape, for immediate action, early in the June Session.

All of which is respectfully submitted.

Signed, EDWIN HERSHEY,

" A. FRAZER,

" EDWARD LEE,

" JOSEPH GARNER,

" W. B. PRINGLE,

" T. W. HOOKER,

" JOHN A. LAW,

" JAMES SMITH.

Council Chamber, Welland, Jan. 30th, 1880.

## APPENDIX C.

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### *Reports of Standing Committees.*

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#### REPORT OF COMMITTEE ON ROADS AND BRIDGES.

*To the Warden and Councillors of the County of Welland in Council assembled :*

The Standing Committee on Roads and Bridges beg leave to submit the following report :

Upon referring to the reports of the Standing Committees on Roads and Bridges of former years, we find that a general power was given to the Standing Committee on Roads and Bridges, for the time being, to do, from time to time, whatever they may deem necessary and best for the safety of the travelling public, and for the interest of this County, with reference to the repairing or the building of any County Bridge within the limits of this County, or upon any line between this County and the Counties of Lincoln and Haldimand.

Your Committee would recommend the continuance of that authority to the Road and Bridge Committee in time coming.

All of which is respectfully submitted.

Signed, JOSEPH GARNER,  
" ELISHA FURRY,  
" JOHN MISENER,  
" JAMES SMITH,

Council Chamber, Welland, Jan, 31st, 1880.

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*To the Warden  
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**FIRST REPORT OF MARSH LANDS COMMITTEE REFERRED  
BACK FOR AMENDMENT.**

*To the Warden and Councillors of the County of Welland in Council  
assembled :*

The Standing Committee on Marsh Lands beg to submit their first report.

The enlargement of the Daly Ditch, contracted for by David Campbell, is at a stand still since Campbell gave up the work last Fall. The heaviest portion of the work has been done, for which about \$2,100 has been paid, and as no benefit whatever can be derived from work already done until the ditch is finished,

Your Committee would recommend the Marsh Lands Committee being authorized and empowered to take the steps necessary for advertising and re-letting the said work, in order that the same be worked upon to completion the coming season.

The account of Wm. Ingram, Overseer of County Drains, and caretaker of County Timber, amounting to \$30.38, your Committee recommend being paid, and that the Warden issue his cheque for the amount.

The resignation of Wm. Ingram, as Overseer of County Drains and Caretaker of Spruce and Timber, your Committee recommend being accepted.

All of which is respectfully submitted.

Signed, EDWARD LEE, Chairman,

" J. A. RAMSDEN,

" A. FRAZER,

" JOSEPH GARNER,

" EDWIN HERSHEY.

Council Chamber, Welland, Jan. 29th, 1880.

## AMENDED REPORT OF MARSH LANDS COMMITTEE.

*To the Warden and Councillors of the County of Welland in Council assembled :*

The Standing Committee on Marsh Lands beg leave to submit the following report, amended according to instructions by resolution of your Council.

The enlargement of the Daly Ditch, contracted for by David Campbell, is at a stand still since the said Campbell gave up the work last Fall.

And your Committee recommend this Council to hand over the Daly Ditch to the Township of Wainfleet, and allow the said Township the full benefit of the expenditure of over two thousand dollars which by this County has been made upon the said Daly Ditch, and that the said Committee, in their amended report, recommend the Township of Wainfleet to assume and complete the said Daly Ditch at its pleasure.

The account of Wm. Ingram, Overseer of County Drains and Caretaker of County Timber, amounting to \$30.38, your Committee recommend being paid, and that the Warden be authorized to issue a cheque in favor of Mr. Ingram for such amount.

The resignation of the said Wm. Ingram, and Caretaker of Spruce and Timber, your Committee recommend being accepted.

All of which is respectfully submitted.

Signed, EDWARD LEE, Chairman,

" A. FRAZER,

" EDWIN HERSHEY,

" J. A. RAMSDEN,

" JOSEPH GARNER.

Council Room, Welland, Jan. 31st, 1880.

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# REPORT OF THE COMMITTEE ON SALARIES.

*To the Warden and Councillors of the County of Welland in Council assembled :*

The Standing Committee on Salaries beg leave to recommend that the following salaries be fixed to the parties named, respectively :

To the Warden.....	\$100
“ “ Clerk.....	450
“ “ Treasurer.....	600
“ “ Auditors, each.....	20
“ “ Messenger.....	60

All of which is respectfully submitted.

Signed, ERNEST CRUICKSHANK, Chairman,

“ A. FRAZER,

“ LEVI BAKER,

“ CHAS. KELLER, Jr.,

“ JACOB UPPER.

Council Room, Welland, Jan. 28th, 1880.

## FIRST REPORT OF COMMITTEE ON FINANCE.

*To the Warden and Councillors of the County of Welland, in Council assembled :*

The Standing Committee on Finance beg leave to submit this their first report, and recommend the payment of the following certified accounts, viz. :

Hart and Rawlinson, Municipal Blanks.....	\$138 00
C. D. Burgar, Stamps and Stationery.....	4 25
James Blackwell, Lime.....	1 05

John Powell, Copy from Lincoln Registry.....	1 55
W. B. Chambers, Coal Stove, &c., for Sheriff's Office.....	16 65
John Appleyard, Repairs, &c.....	7 15
Hellems and Garner, Stationery, Telegraphing and Express...	5 22
Registry Office, Registering Deeds, &c .....	6 63
N. B. Colcock, Printing and Advertising.....	6 00
“ “ “ 200 Copies December Session, \$44.80 less \$6.00 for Stove.....	38 80
E. G. Hart, Advertising June Session, 2 insertions.....	3 40
W. H. Bone, Advertising Jan. Session, 2 insertions.....	3 00
J. J. Sidey “ “ “ 2 “ .....	3 00
Anger Bros “ Dec, “ 1 “ .....	1 00
J. Cuthbert, Binding Ontario <i>Gazette</i> , 1871-1876.....	5 00
M. Beatty and Sons, Lower Grate and Steel Door Keys.....	5 80
Blake, Kerr, Boyd and Cassels, opinion <i>re</i> Welland Bridge..	25 00
All of which is respectfully submitted.	

Signed, GEORGE J. DUNCAN,  
 “ ERNEST CRUICKSHANK,  
 “ ROBT. J. JOHNSTON,  
 “ JOHN A. LAW,  
 “ LEVI BAKER,  
 “ J. H. BURGAR,  
 “ CHAS. KELLER, Jr.,  
 “ J. A. RAMSDEN.

Council Chamber, Welland. Jan. 31st, 1880.

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## APPENDIX D.

### *Reports of County Officers.*

#### COUNTY SCHOOL INSPECTOR'S REPORT FOR THE YEAR 1879.

TO GEO. J. DUNCAN, Esq.,  
Warden.

SIR,—

I have the honor to submit my annual report of the Schools under my jurisdiction for the year 1879.

In referring to their general condition, I am glad to be able to say that the Schools have made substantial progress during the year, and that a number of them have exhibited a higher state of proficiency than usual. Among the other causes that have contributed to these results, two may be mentioned as having had an important bearing. The one being, that with few exceptions, the Schools were kept open the whole year, and the other, that in comparatively few instances were the Teachers changed. It is to be hoped that the advantages arising from keeping the Schools open the whole year round, and of avoiding unnecessary changes of Teachers, will be fully recognized and allowed due weight in the management of all our Schools.

*Accommodations.* During the year, four excellent new School Houses have been erected, at an expense of about \$7,150; other permanent improvements have been made in a number of the Schools, and better equipments provided. Improvements, involving a large outlay, have now been made in nearly all cases where such have been necessary. Steps have also been taken to beautify and adorn a work to which we trust to see much greater attention given than it has hitherto received.

*Programme of Studies.* The subjects of study prescribed for the Schools are being pursued, and the essential subjects receiving their proper share of attention. There is a danger, however, of their being taught too mechanically. In our best Schools, the subjects are taught in such a way as to make them a mental training for the pupils. This should be the design in all teaching, and may be regarded as its highest excellence.

There is one important branch in our programme which, although taught in a number of our Schools, yet, in many of them, does not receive the prominence it deserves. I refer to singing. We have a few Schools, however, in which the singing is excellent. Not only is singing a pleasant School exercise, and its effects beneficial to the School, but its advantages in other respects can scarcely be over-estimated. The singing of choice songs is not only calculated to affect individual character favorably, but it also promotes the happiness of the home circle. The songs of a people, moreover have a potent influence in the formation of national character. The reason why singing is not more cultivated in our Schools than it is, is not so much owing, I think, to the want of musical talent on the part of the Teacher as to the want of having sufficient instruction himself in this branch to be able to teach it.

*Attendance.* The number of pupils enrolled between the ages of 5 and 16 yrs., was 5,898, and the number over 16 was 293, making a total of 6,191. The average attendance was 2,738. Irregularity of attendance is one of the greatest obstacles we have to contend with in the working of our Schools, and it is one of the most difficult to remedy. The Compulsory Clause Trustees naturally feel reluctant to enforce, and as long as they are required to institute proceedings against their neighbors in this matter, the compulsory clause, it is to be feared, will too often fail to accomplish its object.

*Salaries.* The highest salary paid a male Teacher was \$700; the lowest, \$288; and the average salary, \$390. The highest salary paid a female Teacher was \$450; the lowest, \$200; and the average salary \$277.

*Expenses.* The cost of carrying on the Schools, including building, repairs, furniture, maps, teachers' salaries, &c., was \$42,760, or an

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average of \$6.91 for each pupil enrolled. The finances of the Schools are in good condition, and those that have liabilities, have incurred them in building.

*Township Board System.* At the annual School Section Meetings, held in December, the Township Board System was submitted for consideration, in accordance with the suggestion of the Minister. In a few Sections the matter was laid over for further consideration, —with the exception of one Section, however, in all the Sections in which a vote was taken, it failed to carry, the vote being generally unanimous. The first vote, and the only one, as yet given in favor of the Township System, has been in Section No. 5 of the Township of Crowland, and it would seem that it is in this Township that the system, if adopted, is to have its first trial, and if it is once tried, I have no idea that there will be any desire to return to the old system of Sections.

*County Model School.* The County Model School is a brick building, and contains four rooms and two lobbies. Two of the rooms are gallery rooms, and one a class room. The School has a Staff of four Teachers. The Principal holds a first-class Provincial Normal School Certificate; the male assistant, a second class Normal School Certificate, and the two female assistants, third-class County Board Certificates.

In accordance with the Departmental instructions, the County Inspector and the Inspector for the Town of Welland drew up a programme for the Model School, of which the following is a copy:— From 8 to 9 each morning, "Instruction in School Organization, Government and Method of Teaching." The hour on Fridays being devoted to "Reviewing." From 11 to 12, on Mondays, Wednesdays and Fridays, "Mental Arithmetic," except when "School Law" is taken up, which will occupy 5 hours of Session. From 11 to 12 on Tuesdays and Thursdays, "Elocution and Reading," except when "Hygiene" is taken up, which will occupy 4 hours of Session.

The first two weeks of the Session to be occupied by the Teachers



in training, in observing the methods of teaching in the Model School and in making notes thereon. After the first two weeks, the Teachers in training are to occupy one hour and a half each forenoon, and one hour and a half each afternoon in actual teaching in the different departments of the School; the remainder of the time is to be occupied in observing the methods of teaching in the Model School or the other Schools of the Town, and in making notes thereon. Special attention to be given by the Teachers in training to Arithmetic, Grammar and Reading.

*Teachers Trained.* The number of Teachers who received a training at the Model School during the year was 19. With a view to securing as thorough a training as circumstances would allow, the Board of Examiners allowed only half of the candidates to enter at a time, so that there were two Sessions of the Model School, the first extending from the 29th of August to the 25th of October, and the second from October 27th to December 20th.

The attendance of the Teachers in training was regular, except in cases of sickness, and their deportment satisfactory. At the final examinations, the Board of Examiners awarded all of them certificates.

I have the honor to be, Sir,

Your obt. servant,

(Signed) JAS. H. BALL,

County Inspector.

Thorold, Jan., 1880.

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## REPORT OF COUNTY TREASURER.

Amount of Cash on hand.....	\$3,111 34
Due by Township of Crowland.....	\$199 34
Due by Village of Fort Erie.....	24 18
Due by Township of Thorold.....	230 55
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	654 07
Due to Township of Bertie.....	102 74
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	\$551 33
Note in Canada Bank of Commerce, due 29th, (to-morrow).....	\$4,164 26

I know of no other indebtedness, excepting the current expenses.

Signed, JAMES McGLASHAN,

Co. Treasurer.

Treasurer's Office, 28th Jan., 1880.

# REPORT OF COUNTY CLERK, *RE* INSURANCE OF COUNTY BUILDINGS.

*To the Warden and Councillors of the County of Welland in Council assembled :*

In answer to resolution of yesterday, *re* Insurance on County Buildings, I beg to say that the total insurance on buildings is \$44,000.

Total insurance on library.....	1,000
“ “ “ furniture.....	1,000

Policy, Liverpool, London and Globe, \$4,000, three years' rate 1 per cent expires 9th April, 1880.

Policy, British American, \$8,000, three years' rate 1 per cent, expires June 11th, 1880.

Policy, same Company, on library, 3 years, expires June 22nd, 1880, \$1,000.

Policy, Canada Fire and Marine, 3 years rate, 9-10 per cent., expires Feb. 8, 1882, \$8,000.

Policy, Western Assurance, 3 years, rate 1 per cent, expires June 7th, 1880, \$8,000.

Policy, same Company, on furniture, \$1,000, expires June 7th, 1880.

Policy, Scottish Commercial, 3 years, rate 9-10 per cent, expires July 12th, 1880, \$6,000.

Policy, Royal, 3 years, 9-10 per cent., \$8,000, expires Sept. 25, 1880.

Policy, Lancashire, \$2,000, 3 years, rate 1 per cent.. expires Feb'y. 20th, 1880.

All of which is respectfully submitted.

Signed, J. C. PAGE,  
County Clerk.

Council Chamber, Welland, Jan. 29th, 1880.

L. D. RAYMOND, *RE* WELLAND BRIDGE.

EDWIN HERSHEY, ESQ.,  
Warden,

WELLAND, 23rd, Dec., 1879.

DEAR SIR,—

I see by the published proceedings of the County Council, that a professional opinion is to be obtained as to the liability of the County to maintain the bridge over the Welland River, in this town, or for the expenses of construction.

As County Solicitor, I claim that the opinion should be procured either from or through me.

If it should be thought best, I would consult any eminent counsel who might be named, to advise in the matter.

Yours, very truly,  
Signed, L. D. RAYMOND.

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C. PAGE,  
County Clerk.

1879.	Feb. 19.	To 1 day looking after timber.....	\$ 1 50
	March 13.	" 1 " " " " .....	1 50
	Dec. 20.	" 7 " " " spruce trees.....	10 00

1879. May 6.	To 5 days, \$1.25.....	\$ 6 25
Sept. 8.	" 1 day warning out.....	1 25
Oct. 20.	" 1 " " ".....	1 25
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Nov. 8.	" 6 " " ".....	7 50
		<hr/> \$30 38

Welland, Jan. 16th, 1880.

Will you  
Council, and

L. D. RAYMOND, CLERK OF THE PEACE.

OFFICE OF THE CLERK OF THE PEACE,  
Welland, Jan. 28th, 1830.

J. C. PAGE, ESQ.,  
County Clerk,

DEAR SIR,—

Will you please submit the enclosed memo. and printed case to the  
Council, and oblige

Yours, truly,  
Signed, L. D. RAYMOND,  
Clerk of the Peace.

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APPENDIX H.

PETITIONS.

MEMORIAL TO THE LEGISLATIVE ASSEMBLY, *RE* MARKET FEES.

*To the Legislative Assembly of the Province of Ontario, in Parliament assembled:*

The memorial of the Corporation of the County of Welland—

HUMBLY SHEWETH,—

That a very great injustice is done to the agriculturists throughout the Province of Ontario, by giving the Cities, Towns and Incorporated Villages the privilege of taxing the produce brought into their respective Corporations for sale or barter.

Therefore, your Memorialists Humbly Pray,—That your Honorable House will be pleased to amend Sub-Sections 4 and 6 of Section 466 of the Act respecting Municipal Institutions, so that all produce of the farm can be sold wholesale or retail, or exchanged, in any Municipality of Ontario, free of charge.

And your Memorialists, as in duty bound, will ever pray.

Passed in Council this 29th day of January, A.D., 1880.

{ L. S. }

Signed, J. C. PAGE,  
County Clerk.

Signed, GEO. J. DUNCAN,  
Warden.

MEMORIAL TO SIR CHARLES TUPPER, MINISTER OF RAIL-  
WAYS AND CANALS.

*To Sir Charles Tupper, Minister of Railways and Canals :*

The Memorial of the Corporation of the County of Welland --

HUMBLY SHEWETH,—

That the system of drainage rendered necessary to utilize, for agricultural and grazing purposes, the Great Cranberry Marsh Lands, ditches, to convey the water therefrom, have been made, leading to the culverts under the Welland Canal Feeder,

And, whereas said culverts and back ditches made by the Government have proven entirely insufficient to permit the passage of the water from said ditches, and great damage is thereby done to the settlers on said lands,

Your Memorialists, therefore, ask that you will be pleased to direct the enlargement of present culverts and back ditches, or the construction of others.

And your Memorialists, as in duty bound, will ever pray.

Passed in Council this 28th day of January, 1880.

{ L. S. }

Signed, J. C. PAGE,  
County Clerk.

Signed, GEO. J. DUNCAN,  
Warden.



MEMORIAL, *RE* TRAMP ACT.

*To the Honorable the House of Commons of Canada :*

The Memorial of the Corporation of the County of Welland—

HUMBLY SHEWETH,—

That in consequence of the great number of Vagrants and Tramps infesting a majority, if not all, of the various Counties of this Province, and in view of the rapid increase of such Vagrants and the consequent spread of crime resulting therefrom,

Your Honorable House are most respectfully requested by this Council to amend the Vagrant Act so that able-bodied professional Tramps can be imprisoned in the Penitentiary for a period of from six to eighteen months, or otherwise to pass a Special Tramp Act, so framed, as in the opinion of your Honorable House, may be sufficient to fully meet the requirements of the case, and tend to arrest a growing evil.

And your Memorialists, as in duty bound, will ever pray.

Read a first time January 31st, 1880 ; negatived on 2nd reading.

Signed, J. C. PAGE,  
Clerk.

PETITION, *RE* CONFIRMATION OF BY-LAW NO 9 OF  
CROWLAND.

*To the Warden and Councillors of the County of Welland in Council assembled :*

The petition of Jeremiah Tuttle and the undersigned inhabitants and ratepayers of the Municipality of Crowland,

HUMBLY SHEWETH,-

That your petitioners are desirous of having the road allowance between lots 2 and 3, in the 4th concession of Crowland, remain open for use,

That your petitioners having learned that the Crowland Council have passed a By-Law to close up the road allowance between lots 2 and 3, your petitioners pray that your Honorable Body will not pass a By Law to make this change, which would be a great inconvenience to Jeremiah Tuttle, as it would shut him in from the public road, and oblige him to make a bridge and heavy turnpike at his own expense, and the closing up of it will tend to benefit no one.

Whereas, if the road remains open between lots No. 2 and 3, as originally intended, it will greatly benefit Jeremiah Tuttle and also many others.

And your petitioners, as in duty bound, will ever pray.

Signed, JEREMIAH TUTTLE,

And 24 others.

Crowland, Jan. 5th, 1880.

PETITION, *RE* CONFIRMATION OF BY-LAW NO. 9 OF  
CROWLAND.

*To the Warden and Councillors of the County of Welland in Council  
assembled :*

The petition of the undersigned

HUMBLY SHEWETH,—

That, whereas a portion of your petitioners having signed a petition against the confirmation of a By-Law passed by the Township of Crowland on the 22nd of October, 1879,

And whereas your petitioners signed the said petition in consequence of being informed that Jeremiah Tuttle would be deprived of getting access to Lyons Creek for water for his stock in a dry time, if said By-Law were confirmed; also that it would be very difficult for the said Jeremiah Tuttle, if said By-Law was confirmed, to make a road to the 5th Concession Line,

These considerations being the principal reason why we signed the said petition,

And, whereas we have ascertained that in a dry time there is no water in Lyons Creek, at that point, and in regard to the road in question, a road could be made to the 5th con. line in one half a day, by one team and two men, so that we consider, under these circumstances that no detriment would accrue to Jeremiah Tuttle, if said By-Law were confirmed; we, the undersigned, therefore humbly pray that your Honorable Body will be pleased to confirm the By-Law passed by the Township Council, aforesaid, in regard to the closing of the road in question.

And, as in duty bound, your petitioners will ever pray.

Signed. WM. S. LUNDY,

And 33 others.

Crowland, Jan. 24th, 1880.

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## APPENDIX F.

### COMMUNICATIONS.

#### EXTRACT FROM PORT ROBINSON AND THOROLD ROAD COMPANY.

*Extract from Report of the Port Robinson and Thorold Macadamized Road Company, as submitted to County Council, January Session of 1880, for the year 1879.*

Total receipts for the year.....	\$778 76
Disbursements for ditto.....	581 00
Balance on hand.....	<u>\$197 76</u>

J. C. PAGE,  
County Clerk.

County Clerk's Office, Welland.

#### RESOLUTION OF COUNTY OF CARLETON, RE COTEAU BRIDGE.

COUNTY CLERK'S OFFICE,  
Ottawa, 1879.

To the Warden of the County of Welland :

SIR,

I have been instructed by the Council of the Corporation of the

County of Carleton to forward to you a copy of resolution passed by the said Corporation on Monday, the 15th December, 1879, and to ask your co-operation in the matter.

Signed, CHARLES MACNAB,  
County Clerk.

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RESOLUTION NO. I.

Moved by Mr. Henderson, seconded by Mr. Thomson,

"That in the opinion of the Council of the County of Carleton, in the Province of Ontario, there are no serious or valid objections to the bridging of the navigable channel of the St. Lawrence River, near Coteau Landing, by means of a low level bridge; that it would confer a direct benefit on the whole Western portion of the Dominion, and more especially in our immediate neighborhood,

"That the Council earnestly invites the assistance of our own Provincial representatives in the Dominion Cabinet, to represent to the Governor-General in Council, the great benefit which would ensue to the best interests of the Province of Ontario, and the Dominion of Canada generally, by granting permission to build such bridge.

"Further, that this Council would deprecate the selfish and unpatriotic action of the Province of Quebec in opposing its sectional interests to those of the whole Dominion, and that the Clerk be, and is hereby instructed to forward a copy of this resolution to the Hon. Sir Charles Tupper, Minister of Railways; Hons. Messrs. O'Connor, Bowell, Campbell, and Aikins, our representatives in the Cabinet of the Dominion; and to Messrs. Rochester, Currier, and Tasse, Members of Parliament for the County and city of Ottawa."—Carried.

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M. W. BRIDGMAN, *RE* PUBLIC SCHOOLS.

WELLAND, Dec. 26th, 1879.

DEAR SIR,—

As requested by the County Clerk, to advise you of the action of the Public Schools Inspector, in respect to the resolution passed by your Council,

I would say that he has forwarded to the President (Mr. Grant) the sum of \$23, being the amount of Association funds in his hands.

Yours very truly,

Signed, M. W. BRIDGMAN,  
Sec. of W. C. T. A.

E. HERSHEY, ESQ.,  
Fort Erie.

L. D. RAYMOND, *RE* CARETAKER OF OFFICES.

[MEMORANDUM.]

With respect to the taking care of the office of the Clerk of the Peace and of other offices in the Court House, where it may be required,

I would state that I have, for several years, swept and cleaned my office, have removed the ashes, and have made the fire,

And I now respectfully request that a caretaker be appointed whose duty it shall be to see that the fires are regularly put on in the offices of the Clerk of the Peace and Judge's Chamber, and other offices in the Court House, and that those rooms be properly cleaned and lighted.

I beg to enclose the opinion of C. Robinson, Esq., Q.C., on this subject in a case submitted to him by the County Council of Huron.

Signed, L. D. RAYMOND,  
Clerk of the Peace.

Office Clerk of the Peace,  
Welland, 28th Jan., 1880.

J. W. LANGMUIR, *RE* WELLAND GAOL REPAIRS.

OFFICE OF THE INSPECTOR OF PRISONS,  
AND PUBLIC CHARITIES OF ONTARIO,  
PARLIAMENT BUILDINGS,  
Toronto, 29th Dec., 1879.

*Welland Gaol, re Proposed Repairs to South Wing.*

SIR,—

I beg to acknowledge the receipt of your letter of the 18th instant, enclosing a copy of the presentment of the Grand Jury; also of a report of the Gaol Committee respecting the proposed repairs to the south wing of the Welland Gaol. The suggestions made in these documents will receive consideration at the time of my next inspection of the Welland Gaol.

I have the honor to be, Sir,

Your ob'dt. servant,

Signed, J. W. LANGMUIR,

Inspector.

JOHN COULSON, ESQ.,  
Chairman Gaol Committee,  
Welland.

## DEPARTMENT OF RAILWAYS AND CANALS.

DEPARTMENT OF RAILWAYS  
AND CANALS OF CANADA,  
Ottawa, Jan. 14th, 1880.

SIR,—

I have the honor to acknowledge the receipt of your letter of the 9th inst., transmitting a copy of a resolution, passed by the County

Council of the County of Welland, with reference to the construction of a bridge over the Welland Canal, at the 4th Concession of the Township of Humberstone.

I have the honor to be, Sir,  
Your ob'dt. servant,

J. BRAUN,  
Secretary.

EDWIN HERSHEY, ESQ.,  
Warden County of Welland,  
Fort Erie, Ont.

REPAIRS.

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MUIR,  
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DEPARTMENT OF MINISTER OF RAILWAYS & CANALS.

DEPARTMENT OF RAILWAYS AND CANALS,  
Ottawa, Jan. 15th, 1880.

SIR,—

I have the honor to acknowledge the receipt of a copy of the proceedings of the County Council of Welland, for 1878, transmitted to this Department by you, in connection with a petition of said Council asking Government to construct a bridge over the Welland Canal at Thorold.

I have the honor to be, Sir,  
Your ob't. Servant,

J. BRAUN,  
Secretary.

E. HERSHEY, ESQ.,  
Warden Co. of Welland,  
Fort Erie, Ont.

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## GRANT TO ONTARIO RIFLE ASSOCIATION.

TORONTO, 21st Jan. 1880.

DEAR SIR,—

I am instructed by the Council of the Ontario Rifle Association to again appeal to the several Municipal Corporations of the Province for a small grant in aid of their Prize List for the current year.

With the donations so generously given last year, they were enabled to add another match to their programme, thus adding greater interest to their meeting, and encouragement to the militia, who, by their presence in increased numbers, gave unmistakable evidence of the popularity of the grant.

The Council would ask for the sum of \$10 only, which will be thankfully received and acknowledged in the Annual Report of the Association.

Will you please lay this communication before your Council at the earliest opportunity?

I have the honor to be, Dear Sir,

Your ob't. Servant,

Signed, W. D. OTTER, Lieut.-Col.

Secretary O.R.A.

The Clerk of the County Council  
of Welland.

TELEGRAM FROM COUNTY OF BRUCE, *RE* VAGRANT ACT.

[TELEGRAM.]

(MONTREAL TELEGRAPH COMPANY.)

WELLAND, Jan. 28th, 1880.

By TELEGRAPH FROM WALKERTON.]

*To the Warden of Welland :*

At a meeting of the County Council of Bruce, this morning, the following resolution was passed :

"That in consequence of the great increase of tramps, who are becoming a heavy burden upon the County, this Council do petition Parliament, either so to amend the Vagrant Act so that able bodied tramps can be imprisoned in the Penitentiary for a period of from two to five years, or otherwise to pass a Special Tramp Act ; and the Warden do at once telegraph the Wardens of the various Counties, asking them to co-operate in this matter."

Signed, ROBT. PURVIS,  
Warden of Bruce.

COPY OF LETTER TO THE HON. EDWARD BLAKE FOR  
OPINION IN *RE* WELLAND BRIDGE.

*To the Hon. Edward Blake, Q.C., Toronto :*

DEAR SIR,—

I am instructed by the Warden of the County of Welland to procure your opinion as to the liability of the County of Welland for the cost of construction and maintenance of the bridge over the River Welland, in this town, under statement of facts with which he has furnished me—a copy of which I now enclose to you.

I make a brief statement of facts, in addition to the Warden's statement, which, perhaps, may be of service to you. The Welland River is navigable for steam tugs, scows, &c., for several miles above this town. It divides the Townships of Thorold and Crowland, in this County, and runs through the town, and is considerably over 100 feet wide here.

Welland was incorporated as a village on the 14th of July, 1858, by Special Act, 22nd Vic., Cap. 46, and comprised parts of these Townships, and was incorporated as a town in January, 1873, under the Municipal Act.

As to Bridges over the River Welland, see 22nd Vic., Cap. 88, Statute of 1859.

A County By-Law was passed on the 7th October, 1861, under the authority of this Act, assuming the bridge here, and others over the Welland. I send this By-Law, in a printed copy, of proceedings of County Council of that date. This By-Law was repealed at the June Session, 1879.

The present bridge (an iron one) was built in the early part of 1879. It has the Statutory opening between the bents, but is only 7 feet 6 inches at the opening above the ordinary level of the water, instead of 12 feet, as required by the Statute. The bridge, however, has a swing with an opening of about 40 feet.

I also send a copy of a resolution of the Town Council, upon which no action has yet been taken.

I am, dear sir,  
Yours, very truly,  
L. D. RAYMOND.

Welland, 3rd Jan., 1880.

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WARDEN'S STATEMENT, IN *RE* WELLAND BRIDGE.QUESTIONS, *RE* WELLAND BRIDGE.

1st. Is the County of Welland liable for all, or any part of the cost of bridge, which was in the neighborhood of \$7,000?

2nd. The County made all repairs upon the old bridge, and kept it in a state of safety for travel up to the time of the erection of the said place into a town.

3rd. Did the erection of the said place from a village into a town relieve the County from all legal responsibility so far as construction and maintenance of this particular bridge is concerned?

4th. Has the Dominion Government exclusive jurisdiction over the River Welland, under Special Act, 22 Vic., Chap. 88?

5th. On the 7th Oct., 1861, a By-Law was passed by the County Council of Welland, (founded on the Act referred to) assuming the said bridge, and such By-Law was not repealed until the June Session of Council, 1879. The repeal, however, took place before any formal demand was made upon the County for any payment towards the said bridge, except by the Reeve or Reeves moving, from time to time, by resolution in the County Council, that a certain sum be paid toward the cost of construction out of County funds.

6th. The bridge is not the height required by the Special Act herein referred to, being only  $7\frac{1}{2}$  feet from the surface of the water to the under cords of the bridge in centre of draw.

7th. As the County By-Law was not repealed until after the construction of the said bridge, would such delay in repealing it affect the case in the least?

8th. The town authorities say they did not commence the construction of the iron bridge until the old one was so thoroughly out of repair as to be unsafe for public travel; but the Road and Bridge Committee of the County repaired the bridge from time to time, and claim that it was quite safe for public travel at the time the town undertook to re-build it.

9th. If the Town of Welland had built the bridge 12 feet above the level of the water, as required by the Act, instead of  $7\frac{1}{2}$  feet, could they have compelled us to pay for it?

10th. The bridge was formerly on the boundary line, between two Municipalities, but since the extension of the limits of the said town, is wholly within the Corporation line.

E. HERSHEY,  
Warden.

# HON. EDWARD BLAKE'S OPINION, *RE* WELLAND BRIDGE.

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*Resolution of Town Council, accompanied by demand on County, through the Warden.*

[COPY.]

"That, inasmuch as the Municipal Council of the County of Welland saw fit to pass a motion appointing a committee to investigate the claim that the Town of Welland has against the County of Welland, *re* the bridge;

"Be it, therefore, resolved,—That the Clerk be authorized to notify the Warden of the County, that this Council demands \$2,000 in settlement of such claim, and that the Mayor, Reeve and Deputy-Reeve be a committee to confer with a committee of the County Council.

(Certified)

Signed, E. R. HELLEMS,

Clerk.

Welland, Aug. 11th, 1879.

ANSWERS.

I have considered the annexed statement of the case submitted by Mr. Raymond, on behalf the Warden of the County of Welland, and the additional facts stated in Mr. Raymond's letter.

It appears that Welland was incorporated as a village by Special Act, 22 Vic., Cap. 46, 14th July, 1858, and was incorporated as a town in January, 1878, under the provision of the Municipal Act

The Welland River runs through the town of Welland. It is considerably over one hundred feet wide for some distance above the town, and it is navigable for steam tugs, scows and vessels for several miles above the town.

The bridge in question is wholly within the limits of the town. The present structure was built by the town in 1879, on the site of the former bridge, which was one of the bridges referred to in the Act, 22 Vic., Cap. 88, and in the By-Law passed by the County Council of Welland, under that Act, on the 7th of October, 1861, declaring the same to be under the care of the County Council of Welland, which By-Law remained in force until June, 1879, when it was repealed.

1. It would appear that the town claimed that the old structure



was not safe for travel, and out of repair. If so, the County might have been liable to indictment, and proceedings might have been taken to compel the County either to repair or rebuild, but the town seems instead to have undertaken to remove the old and replace it with a new bridge. I think the County is not liable to the town for the whole or any part of the cost of erecting such new bridge, nor would it have been so liable even had the bridge been 12 feet high.

2. So long as the County By-Law remained in force, the County Council had exclusive jurisdiction and care over the old bridge, and it was the duty of the County to maintain the same in good repair, and the erection of the village of Welland into a town (comprising within its limits the bridge) does not relieve the County from such duty so long as the County By-Law continued in force ; but it appears to me that at any rate, after the repeal of the By-Law, the duty to maintain the new bridge, at that time existing, devolved, under the Municipal Act, upon the town.

3. The Special Act, 22 Vic., Cap. 88, does not affect the question as to the jurisdiction of the Dominion or Local Parliaments over the Welland River. And it would be necessary to understand in what respect jurisdiction was claimed or asserted before it could be determined whether such assertion were well or ill-founded.

EDWARD BLAKE.

Toronto, Jan. 28th, 1880.

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